
By: **Prince George's County Delegation**

Introduced and read first time: February 4, 2004

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Collection and Disposition of District Court Fines**
3 **and Penalties - Traffic Safety Enforcement and Education Fund**
4 **PG 316-04**

5 FOR the purpose of requiring that certain fines and penalties collected by the clerks
6 of the District Court in Prince George's County be remitted to the Prince
7 George's County Office of Finance for certain investment purposes; establishing
8 the Traffic Safety Enforcement and Education Fund; requiring the Prince
9 George's County Office of Finance to administer the Fund; requiring that the
10 Fund only be used for traffic safety enforcement and education in Prince
11 George's County; and generally relating to the collection and disposition of
12 District Court fines and penalties in Prince George's County.

13 BY repealing and reenacting, with amendments,
14 Article - Courts and Judicial Proceedings
15 Section 7-302
16 Annotated Code of Maryland
17 (2002 Replacement Volume and 2003 Supplement)

18 BY adding to
19 Article - Courts and Judicial Proceedings
20 Section 7-303
21 Annotated Code of Maryland
22 (2002 Replacement Volume and 2003 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

25 **Article - Courts and Judicial Proceedings**

26 7-302.

27 (a) Except as provided in subsections (b) through [(e)] (F) of this section, the
28 clerks of the District Court shall:

1 (1) Collect costs, fines, forfeitures, or penalties imposed by the court; and

2 (2) Remit them to the State under a system agreed upon by the Chief
3 Judge of the District Court and the Comptroller.

4 (B) IN PRINCE GEORGE'S COUNTY, THE CLERKS OF THE DISTRICT COURT
5 SHALL:

6 (1) COLLECT COSTS, FINES, FORFEITURES, OR PENALTIES IMPOSED BY
7 THE COURT;

8 (2) REMIT THE COSTS AND FORFEITURES TO THE STATE UNDER A
9 SYSTEM AGREED UPON BY THE CHIEF JUDGE OF THE DISTRICT COURT AND THE
10 COMPTROLLER; AND

11 (3) REMIT THE FINES AND PENALTIES TO THE PRINCE GEORGE'S
12 COUNTY OFFICE OF FINANCE FOR INVESTMENT IN THE TRAFFIC SAFETY
13 ENFORCEMENT AND EDUCATION FUND ESTABLISHED UNDER § 7-303 OF THIS
14 SUBTITLE.

15 [(b)] (C) If a parking or impounding fine, penalty, or forfeiture, or a fine,
16 penalty, or forfeiture relating to violation of housing, building, fire, health, or
17 sanitation codes, or a Mass Transit Fare Payment Statute, or a fine or penalty
18 relating to failure to pay the prescribed toll at a highway or vehicular crossing is
19 collected by the District Court pursuant to a local ordinance, law, or regulation of a
20 political subdivision or municipality, or pursuant to a regulation of an agency of State
21 government authorized to regulate parking of motor vehicles, or pursuant to a statute
22 pertaining to the payment of mass transit fares, or pursuant to a statute pertaining to
23 the failure to pay tolls, it shall be remitted to the respective local government, or to
24 the State agency.

25 [(c)] (D) Every agency of State government, political subdivision or
26 municipality which has enacted or which shall enact an ordinance, law, or regulation
27 controlling the parking of motor vehicles, or providing for the impounding of motor
28 vehicles, or pertaining to the failure to pay tolls shall provide that fines, penalties or
29 forfeitures for the violation of said ordinances, laws, or regulations shall be paid
30 directly to the State agency, political subdivision or municipality, and not to the
31 District Court, in uncontested cases.

32 [(d)] (E) Every ordinance, law, or regulation controlling the parking of motor
33 vehicles or providing for impounding such vehicles or pertaining to the failure to pay
34 tolls shall provide that the person receiving a citation may elect to stand trial for said
35 offense by notifying the State agency, political subdivision or municipality of his
36 intention of standing trial, which notice shall be given at least five (5) days prior to
37 the date of payment as set forth in the citation. Upon receipt of the notice of such
38 intention to stand trial, the political subdivision or municipality shall forward to the
39 District Court in said political subdivision or municipality, and the State agency shall
40 forward to the District Court having venue, a copy of the citation and a copy of the
41 notice from the person who received the citation indicating his intention to stand
42 trial. Upon receipt thereof, the District Court shall schedule the case for trial and

1 notify the defendant of the trial date under procedures to be adopted by the Chief
2 Judge of the District Court. All parking or impounding fines, penalties or forfeitures
3 or failure to pay toll penalties collected through the District Court pursuant to a
4 parking or impounding or toll collection ordinance, law, or regulation enacted by a
5 State agency, political subdivision or municipality shall be remitted to the respective
6 local government or State agency.

7 [(e)] (F) (1) A citation issued pursuant to § 21-202.1 of the Transportation
8 Article shall provide that the person receiving the citation may elect to stand trial by
9 notifying the issuing agency of the person's intention to stand trial at least 5 days
10 prior to the date of payment as set forth in the citation. On receipt of the notice to
11 stand trial, the agency shall forward to the District Court having venue a copy of the
12 citation and a copy of the notice from the person who received the citation indicating
13 the person's intention to stand trial. On receipt thereof, the District Court shall
14 schedule the case for trial and notify the defendant of the trial date under procedures
15 adopted by the Chief Judge of the District Court.

16 (2) A citation issued as the result of a traffic control signal monitoring
17 system controlled by a political subdivision shall provide that, in an uncontested case,
18 the penalty shall be paid directly to that political subdivision. A citation issued as the
19 result of a traffic control signal monitoring system controlled by a State agency shall
20 provide that the penalty shall be paid directly to the District Court.

21 (3) Civil penalties resulting from citations issued using traffic control
22 signal monitoring systems that are collected by the District Court shall be collected in
23 accordance with subsection (a) of this section and distributed in accordance with §
24 12-118 of the Transportation Article.

25 7-303.

26 (A) IN THIS SECTION, "FUND" MEANS THE TRAFFIC SAFETY ENFORCEMENT
27 AND EDUCATION FUND OF PRINCE GEORGE'S COUNTY.

28 (B) THERE IS A TRAFFIC SAFETY ENFORCEMENT AND EDUCATION FUND OF
29 PRINCE GEORGE'S COUNTY.

30 (C) THE PURPOSE OF THE FUND IS TO ENFORCE TRAFFIC SAFETY LAWS AND
31 TO EDUCATE THE CITIZENS AND RESIDENTS OF AND THOSE WHO TRAVEL THROUGH
32 PRINCE GEORGE'S COUNTY ON TRAFFIC SAFETY TO AID IN DECREASING VEHICULAR,
33 PEDESTRIAN, AND BICYCLE ACCIDENTS IN PRINCE GEORGE'S COUNTY.

34 (D) THE PRINCE GEORGE'S COUNTY OFFICE OF FINANCE SHALL ADMINISTER
35 THE FUND.

36 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT
37 TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

38 (2) THE PRINCE GEORGE'S COUNTY OFFICE OF FINANCE SHALL HOLD
39 THE FUND SEPARATELY AND SHALL ACCOUNT FOR THE FUND.

1 (F) THE FUND SHALL CONSIST OF:

2 (1) REVENUE DISTRIBUTED TO THE FUND UNDER § 7-302(B)(3) OF THIS
3 SUBTITLE;

4 (2) INVESTMENT EARNINGS OF THE FUND;

5 (3) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

6 (4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE
7 BENEFIT OF THE FUND.

8 (G) (1) THE FUND MAY BE USED ONLY FOR ENFORCING TRAFFIC SAFETY
9 LAWS AND EDUCATING THE CITIZENS AND RESIDENTS OF AND THOSE WHO TRAVEL
10 THROUGH PRINCE GEORGE'S COUNTY ON TRAFFIC SAFETY TO AID IN DECREASING
11 VEHICULAR, PEDESTRIAN, AND BICYCLE ACCIDENTS IN PRINCE GEORGE'S COUNTY.

12 (2) THE FUND MAY BE USED ONLY BY COUNTY AGENCIES AS
13 DESIGNATED BY THE PRINCE GEORGE'S COUNTY EXECUTIVE.

14 (H) MONEY EXPENDED FROM THE FUND FOR THE PURPOSE DESCRIBED
15 UNDER SUBSECTION (C) OF THIS SECTION IS SUPPLEMENTAL TO AND IS NOT
16 INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE
17 APPROPRIATED FOR THE FUND.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2004.